

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

RUTH SMITH, individually and on behalf of all others similarly situated,

Plaintiff,

v.

SUNPATH, LTD., a Massachusetts corporation,

Defendant.

Case No. 1:22-cv-00081-LMB-WEF

NOTICE OF APPEAL

Pursuant to Federal Rules of Appellate Procedure 3 and 4, notice is hereby given that Plaintiff Ruth Smith appeals to the United States Court of Appeals for the Fourth Circuit from the District Court's entry of final judgment dated January 27, 2023 (dkt. 105).

Dated: January 31, 2023

RUTH SMITH, individually and on behalf of all others similarly situated,

By: /s/ Francis J. Driscoll, Jr.

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Attorneys for Plaintiff and the Class

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above titled document was served upon counsel of record by filing such papers via the Court's ECF system on January 31, 2023.

/s/ Francis J. Driscoll, Jr.